



162

IN THE UNITED STATES PATENT OFFICE

Application No : 10/809,034

§
§
§
§
§
§
§
§
§

Applicants :

YOUNG, Robert Allen et al.

Filing Date : 03/25/2004

Title of Invention :

LOCKING BONE PLATE

Priority Date : 03/26/2003

Authorized Officer : pending

Attorney Docket no : PUS-P001-041

Art Unit : 3732

CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8. I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

On February 22, 2005

Typed or printed name of person signing this certificate:

Signature of person signing this certificate:

W. H. H. H.

INFORMATION DISCLOSURE STATEMENT

To:

Assistant Commissioner for Patents
Washington, D.C. 20231
U.S.A.

Dear Sir:

Pursuant to the provisions of 37 C.F.R. §1.97, Applicant encloses the references set forth in the attached modified form PTO/SB/O8A. No inference should be made that the cited references are in fact material, are in fact prior art, are analogous art, or that no better art exists. The cited patents are listed in numerical order and not in any order based on their pertinence.

It is requested that the Examiner fully consider the cited references and that they be cited on the front of any patent issuing from this application.

Copies of the cited references are attached.

Foreign Language References:

Concerning German Language application, DE 4343117A1, below is a translation of the published abstract:

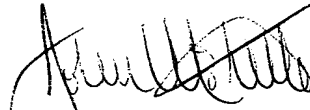
“The invention concerns a fixation system for bone(s) with a bone plate with at least one thru-hole, at least one bone screw inserted in the thru-hole, a mutual alignment therewith via various choices of angled bearing surfaces on the bone plate and bone screw and means for arranging the bone screws in a pre-determined angle on the plate. It is a system with an angle-stabilized screw arrangement, striving for minimal effort and small size. To this end, the fixing means provides, through screwing of the bone screw in a pre-determined angle of a pre-formed thread, at least a thread connection having a bearing surface on the bone plate and bone screw.”

Concerning German Language application DE 4341980A1, entitled “Osteosynthetische Knochenplatte” or “Osteosynthetic Bone Plate”, below is a translation of the published abstract:

“In the bone plate are fitted round or elongated holes (2) in longitudinal direction for bone screws (3). The holes comprise a conical thread (4) extending toward the bone surface. Each bone screw has a screw head (5) with a conical outer thread matching that of the hole thread. Into the holes is insertable a boring template (6) has a conical thread analogous to the hole thread, and a central inner thread (7) identical to that of the bore screw. At least one longitudinal bore pref. has different end side radii and a peripheral inner thread.”

If the Examiner has further questions, he is invited to contact the undersigned at phone 011-4171-230-1000 or fax at 011-4171-230-1001.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'John Moeteli', is written over a circular stamp. The signature is fluid and cursive.

John MOETELI

U.S. Reg. No. 35,289

US and International Patent and Trademark
Attorney-at-law

Enclosure: IDS form
Copies of cited patents



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

Application Number	10/809,034
Filing Date	03/25/2004
First Named Inventor	YOUNG, ROBERT ALLEN
Art Unit	3732
Examiner Name	pending
Attorney Docket Number	PUS-P001-041

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 5,002,544	03/26/1991	Klaue et al.	entire document
	2	US- 5,709,686	01/20/1998	Talos et al.	entire document
	3	US- 5,733,287	03/31/1998	Tepic et al.	Fig. 4, entire doc.
	4	US- 5,364,399	11/15/1994	Lowery et al.	entire document
	5	US- 3,716,050	02/13/1973	Johnston	entire document
	6	US- 3,659,595	05/02/1972	Haboush	entire document
	7	US- 4,408,601	10/11/1983	Wenk	entire document
	8	US- 5,324,290	06/28/1994	Zdeblick et al.	entire document
	9	US- 5,810,823	09/22/1998	Klaue et al.	entire document
	10	US- 5,741,258	04/21/1998	Klaue et al.	entire document
	11	US- 5,976,141	11/02/1999	Haag et al.	entire document
	12	US- 6,206,881	03/27/2001	Frigg et al.	entire document
	13	US- 6,309,393	10/30/2001	Tepic et al.	entire document
	14	US- 6,406,478	06/18/2002	Kuo	entire document
	15	US- 2002/0183752	12/05/2002	Steiner et al.	entire document
	16	US- 5,681,311	10/28/1997	Foley et al.	entire document
	17	US- 5,261,910	11/16/1993	Warden et al.	entire document
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

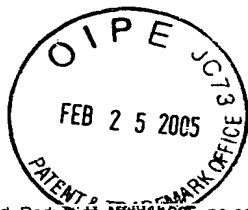
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	1	WO 01/54601	08/02/2001	Frigg et al.	entire document	
	2	WO 02/00127	01/03/2002	Frigg et al.	entire document	
	3	WO 01/19267	03/22/2001	Weaver et al.	entire document	
	4	DE 43 43 117	06/22/1995	Wolter	entire document	
	5	DE 43 41 980	06/14/1995	Oertel	entire document	
	6	WO 0053110	09/14/2000	Wagner et al.	entire document	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/809,034
Filing Date	03/25/2004
First Named Inventor	YOUNG, ROBERT ALLEN
Art Unit	3732
Examiner Name	pending
Attorney Docket Number	PUS-P001-041

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	AXIS Fixation System by SOFAMOR DANEK, published 02/1997, entire document	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.